

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE:)	
)	
MAHONEY HAWKES, LLP)	
)	Bankruptcy Appeal
Debtor)	Civil Action No. 04-CV-10636-NG
)	

**MOTION TO APPROVE STIPULATED ORDER CONCERNING THE PROPOSED
BRIEFING SCHEDULE IN CONNECTION WITH THE PENDING APPEAL**

Go Best Assets Limited (“Go Best”), Mahoney Hawkes, LLP (the “Debtor”) and the Official Committee of Unsecured Creditors (the “Committee” and together with the Debtor, the “Plan Proponents”) request this Court enter an Order Approving the Stipulated Order Concerning The Proposed Briefing Schedule In Connection With The Pending Appeal (the “Stipulated Order”). A copy of the Stipulated Order is attached hereto as Exhibit “A” and is incorporated herein by reference. The Stipulated Order is intended to extend the time period in which Go Best must file its brief based upon the pending Motion to Appeal and the Motion to Dismiss and Opposition (as defined below).

The parties state in support of their request the following:

1. On January 9, 2004, Go Best filed a Notice of Appeal from a certain Order and Memorandum of Decision regarding Motion for Approval of Disclosure Statement regarding Amended Joint Plan of Reorganization by Mahoney Hawkes, LLP and The Official Committee of Unsecured Creditors entered by the United States Bankruptcy Court on December 30, 2003 (collectively, the “Order”). The Notice of Appeal was docketed by this Court on April 1, 2004.

2. On January 9, 2004, Go Best also filed a Motion for Leave to Appeal in the event that this Court found the Order was interlocutory. As a result of an election filed by Go Best, the Motion for Leave is also pending in this Court.

3. On January 20, 2004, the Plan Proponents filed a Motion to Dismiss Go Best Appeal and Opposition by Debtors and Creditors' Committee to Motion by Go Best Asset, Ltd. For Leave to Appeal (the "Motion to Dismiss and Opposition"). Thereafter, on January 30, 2004, Go Best filed a response (the "Response") to the Motion to Dismiss and Opposition.

4. As of this date, the Motion for Leave to Appeal, the Motion to Dismiss and Opposition, as well as the Response are all currently pending before this Court.

5. In accordance with Rule 8009 of the Federal Rules of the Bankruptcy Procedure, Go Best must file a brief within fifteen (15) days after the entry of the appeal on the docket pursuant to Rule 8007 unless otherwise ordered by this Court. In connection with the Stipulated Order, the parties have agreed, *inter alia*, to extend the time for filing a Brief by Go Best for a period of fifteen (15) days following an order entered by this Court concerning the pending Motion for Leave to Appeal and Motion to Dismiss and Opposition.

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WHEREFORE, the parties respectfully request that the Court approve the Stipulated Order and grant such other and further relief as this Court deems just and proper.

Dated: April 12, 2004

So Agreed:

GO-BEST ASSETS LIMITED

By its attorneys,

/s/ Ruth M. Bayley

William W. Kannel (BBO No. 546724)
Daniel S. Bleck (BBO No. 560328)
Ruth M. Bayley (BBO No. 651314)
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--and--

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MAHONEY HAWKES, LLP

By its attorneys,

/s/ Taylor A. Greene

Christopher J. Panos (BBO No. 555273)
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THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS

By its attorneys,

/s/ David B. Madoff

David B. Madoff (BBO No. 552968)
Cohn Khoury Madoff & Whitesell LLP
101 Arch Street
Boston, Massachusetts 02110
(617) 951-2505

SO ORDERED:

District Judge Nancy Gertner Dated: _____

Exhibit A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE:)	
)	
MAHONEY HAWKES, LLP)	
)	Bankruptcy Appeal
Debtor)	Civil Action No. 04-CV-10636-NG
)	

**STIPULATED ORDER CONCERNING THE PROPOSED BRIEFING
SCHEDULE IN CONNECTION WITH THE PENDING APPEAL**

Go-Best Assets Limited (“Go-Best”), Mahoney Hawkes, LLP (the “Debtor”) and the Official Committee of Unsecured Creditors (the “Committee”) (the Debtor and the Committee referred herein as “Plan Proponents”) by and through their respective attorneys hereby agree and stipulate as follows:

RECITAL

WHEREAS, on December 30, 2003, the United States Bankruptcy Court entered on the docket an Order and issued a Memorandum of Decision Regarding Motion For Approval of Disclosure Statement for First Amended Joint Plan of Reorganization Proposed by Mahoney Hawkes, LLP and the Official Committee of Unsecured Creditors (collectively, the “Order”);

WHEREAS, on January 9, 2004, Go Best filed a Notice of Appeal from the Order which, as a result of an election filed by Go Best, was docketed on April 1, 2004 and is pending before this Court;

WHEREAS, on January 9, 2004, Go Best also filed a Motion for Leave to Appeal in the event that the Court found that the Order was interlocutory. As a result of an election filed by Go Best, the Motion for Leave is also pending before this Court;

WHEREAS, on January 20, 2004, the Plan Proponents filed a Motion to Dismiss Go-Best

Appeal and Opposition by Debtor and Creditors' Committee to Motion by Go-Best Assets Ltd. for Leave to Appeal (the "Motion to Dismiss and Opposition");

WHEREAS, on January 30, 2004, Go Best filed a response (the "Response") to the Motion to Dismiss and Opposition;

WHEREAS, the Motion for Leave to Appeal, the Motion to Dismiss and Opposition as well as the Response are all currently pending before this Court;

WHEREAS, Rule 8009 of the Federal Rules of Bankruptcy Procedure provides that the Appellant (i.e., Go Best) shall serve and file a brief within fifteen (15) days after entry of the Appeal on the docket pursuant to Rule 8007 unless otherwise ordered by this Court ; and

WHEREAS, Go Best and the Plan Proponents seek to extend the briefing schedule pending a determination of the pending Motion for Leave to Appeal.

NOW THEREFORE, in consideration of the foregoing covenants, Go Best and the Plan Proponents hereby **STIPULATE** and **AGREE** as follows:

1. The time for filing a brief by Go Best in connection with the pending appeal is extended for a period of fifteen (15) days following an Order entered by this Court concerning the pending Motion for Leave to Appeal and Motion to Dismiss and Opposition.

2. The period of time to file a brief by the Plan Proponents and any reply brief by Go Best shall be filed in accordance with the time periods prescribed in Rule 8009 of the Federal Rules of the Bankruptcy Procedure. .

3. This Court shall retain jurisdiction to interpret and enforce the provisions of the Stipulated Order.

Dated: April 12, 2004

So Agreed:

GO-BEST ASSETS LIMITED

By its attorneys,

/s/ Ruth M. Bayley

William W. Kannel (BBO No. 546724)
Daniel S. Bleck (BBO No. 560328)
Ruth M. Bayley (BBO No. 651314)
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--and--

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MAHONEY HAWKES, LLP

By its attorneys,

/s/ Christopher J. Panos

Christopher J. Panos (BBO No. 555273)
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THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS

By its attorneys,

/s/ David B. Madoff _____

David B. Madoff (BBO No. 552968)
Cohn Khoury Madoff & Whitesell LLP
101 Arch Street
Boston, Massachusetts 02110
(617) 951-2505

SO ORDERED:

District Judge Nancy Gertner Dated: _____

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE:)
MAHONEY HAWKES, LLP)
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Bankruptcy Appeal
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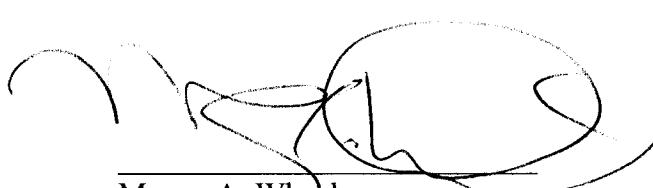
CERTIFICATE OF SERVICE

I, Megan A. Wheeler, do hereby certify that on the 12th day of April, 2004, I caused a copy of the Motion to Approve Stipulated Order Concerning the Proposed Briefing Schedule in Connection with the Pending Appeal to be served by first class mail, postage prepaid to the following:

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c/o Christopher J. Panos, Esq.
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